

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Michael Lee,

Civil 13-799 PJS/FLN

Plaintiff,

v.

O R D E R

Jonathan Klingaman,

Defendant.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated April 18, 2013, all the files and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that:

1. Plaintiff's application for leave to proceed *in forma pauperis* [ECF No. 2] is DENIED; and
2. This action is summarily DISMISSED pursuant to 28 U.S.C. Section 1915(e)(2)(B)(ii).

DATED: 05/07, 2013.  
at Minneapolis, Minnesota

s/Patrick J. Schiltz  
JUDGE PATRICK J. SCHILTZ  
United States District Court